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| To: | Examiner Sullivan | From: | John W. Bailey |
| Fax: | (571) 273-0779 | Date: | June 4, 2004 |
| Phone: | | Pages: | 18 (including cover sheet) |
| Your Ref.: | 10/089,380 | Our Ref.: | 1422-0527P |
| Re: | Documents Filed July 3, 2002 | CC: | |

☐ **Urgent** ☐ **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

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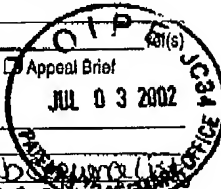
Papers Filed herewith on: July 3, 2002 39
DOCKET NO.: 1422-527P ATTY: JWB
APPLICANT(S): Izumu SAITO et al.
APPLN. NO. 101039, 380 FILED: March 29, 2002
PAT NO.:

- ☐ New Application with Transmittal Letter
☐ Utility ☐ Design ☐ CIP ☐ PCT ☐ Provisional
☐ Filing Under 37 CFR 1.53(b) ☐ CONT ☐ DIV
☐ Filing Under 37 CFR 1.53(d) (CPA)
☐ Filing Under 37 CFR 1.114(RCE)
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☐ Combined Declaration & Power of Attorney
☐ Assignment / Cover Letter
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☐ Drawings _____ Sheets ☐ Formal ☐ Informal ☐ Red-ink
☐ Completion of Filing Requirements, PCT/DO/EO/905
or Formalities Letter and Executed Declaration
☐ Priority Document(s) / Cover Letter, No. Doc. _____

- ☒ Amendment:
☒ Transmittal Letter ☐ Large Entity ☐ Small Entity
☐ Response
☐ Information Disc Stmt. PTO-1449(s)
☐ Notice of Appeal ☐ Appeal Brief
☐ Issue Fee Transmittal
☐ FEES:
☐ Letter:
☒ Other: Paper Copy of Subsequent Proceedings
Copy of Notice

Receipt is hereby acknowledged of the papers filed as
indicated in connection with the above identified case.
COMMISSIONER OF PATENTS AND TRADEMARKS
Due Date: 12 Aug 2002
Handcarry: _____

DOCKET NO.

1422-527P

BOX SEQUENCE
PATENT
1422-0527P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Izumu SAITO et al. Conf.: 2374
Appl. No.: 10/089,380 Group: 1635
Filed: March 29, 2002 Examiner: TO BE ASSIGNED
For: DNA CONTAINING VARIANT FRT SEQUENCE

LARGE ENTITY TRANSMITTAL FORM

Assistant Commissioner for Patents
Washington, DC 20231

July 3, 2002

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☐ The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | | PRESENT EXTRA | RATE | ADDITIONAL FEE |
|--|---|---|---|---|------------------|-------|-------------------|
| TOTAL | 26 | - | 26 | = | 0 | \$ 18 | \$0.00 |
| INDEPENDENT | 4 | - | 4 | = | 0 | \$ 80 | \$0.00 |
| ___ FIRST PRESENTATION OF A MULTIPLE CLAIM | | | | | | \$270 | \$0.00 |
| | | | | | | TOTAL | \$0.00 |

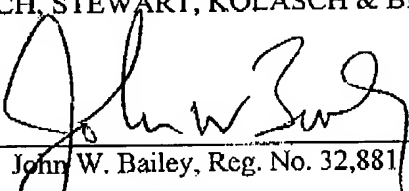
Application No. 10/089,380

- ☐ Petition for () month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$0.00 for the extension of time.
- ☒ No fee is required.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


John W. Bailey, Reg. No. 32,881

JWB/LPS
1422-527P

P.O. Box 747
Falls Church, VA 22040-0747
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(Rev. 01/22/01)

Application No. 10/089,380

BOX SEQUENCE
PATENT
1422-0527P**IN THE U.S. PATENT AND TRADEMARK OFFICE**

| | | | |
|------------|-------------------------------------|-----------|----------------|
| Applicant: | Izumu SAITO et al. | Conf.: | 2374 |
| Appl. No.: | 10/089,380 | Group: | 1635 |
| Filed: | March 29, 2002 | Examiner: | TO BE ASSIGNED |
| For: | DNA CONTAINING VARIANT FRT SEQUENCE | | |

AMENDMENTAssistant Commissioner for Patents
Washington, DC 20231

July 3, 2002

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed June 12, 2002, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

IN THE SPECIFICATION:

Please replace the paragraph beginning on page 4, line 14, with the following rewritten paragraph:

--Concretely, the present invention relates to:

[1] a DNA comprising a mutant FRT sequence having a sequence resulting from substitution of nucleotides at middle 8-bp (spacer region) in the following wild type FRT sequence (SEQ ID NO: 1) derived from yeast 2 μ DNA:

| | | |
|------------------|-----------------------------|------------------|
| 5'-GAAGTTCCTATAC | 1 2 3 4 5 6 7 8 TTTCTAGA | GAATAGGAACTTC-3' |
| | spacer region | |

with nucleotide sequences selected from the group consisting of the following (1) to (4):

(1) TCTCTGGA (f2161) (SEQ ID NO:2)